

Application No. 10/021,407  
Office Action dated: Feb 18, 2004

**Amendments to the Claims:**

**Claims 1-4 (previously cancelled)**

5. ( amended) A biopsy device which is compatible for use with a magnetic resonance imaging machine, said device comprising:

- a. a non-metallic elongated substantially tubular needle having a distal end, a proximal end, a longitudinal axis therebetween, and a side port spaced from said distal end on said elongated needle for receiving a tissue sample; and
- b. a sharpened closed distal tip for insertion within tissue, said sharpened distal tip attached to said distal end of said needle, said distal tip having a hollow cavity which is at least partially filled with a material which will leave an artifact under magnetic resonance imaging, wherein said material is spaced distally longitudinally from said side port of said needle.

6. (previously presented) The device of claim 5 wherein said needle comprises a thermoplastic.

7. (previously presented) The device of claim 5 wherein said needle comprises a glass fiber reinforced polymer resin.

8. ( previously presented) The device of claim 5 wherein said material which will leave an artifact under magnetic resonance imaging is selected from the group comprising: gadolinium, titanium, aluminium, copper, brass and bronze.

**Claims 9-12 (previously cancelled)**

13. (previously presented) The device of Claim 5 further comprising a cutter movable within said tubular needle.

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14. (amended) A biopsy device comprising:

a non-metallic elongated substantially tubular needle having a distal end, a proximal end, a longitudinal axis therebetween, and a side port spaced from said distal end on said elongated needle for receiving a tissue sample;

a sharpened closed distal tip for insertion within tissue, said sharpened distal tip attached to said distal end of said needle, said distal tip having a cavity therein;

a material which will leave an artifact under imaging, wherein said material is disposed in said cavity of said distal tip and spaced distally longitudinally from said side port of said needle; and

a cutter movable within said tubular needle.

15. (new) A biopsy device comprising:

a non-metallic elongated needle having a distal end, a proximal end, a longitudinal axis therebetween, the needle comprising a cutter lumen, a vacuum lumen, and a side port spaced from said distal end of said elongated needle for receiving a tissue sample;

a sharpened distal tip for insertion within tissue, said sharpened distal tip attached to said distal end of said needle, said distal tip comprising a material which will leave an artefact under magnetic resonance imaging; and

a cutter movable within the cutter lumen of said tubular needle.

16. (new) The device of claim 15 wherein said needle comprises a thermoplastic.

17. (new) The device of claim 15 wherein said needle comprises a glass fiber reinforced polymer resin.

18. ( new) The device of claim 15 wherein said material which will leave an artifact under magnetic resonance imaging is selected from the group comprising: gadolinium, titanium, aluminium, copper, brass and bronze.